

**U.S. BANKRUPTCY COURT  
District of South Carolina**

Case Number: 10-06503-jw

**ORDER DIRECTING THE APPOINTMENT OF A CHAPTER 11 TRUSTEE**

The relief set forth on the following pages, for a total of 3 pages including this page, is hereby **ORDERED**.

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**FILED BY THE COURT  
11/05/2010**



John E. Waites

Chief US Bankruptcy Judge  
District of South Carolina

Entered: 11/08/2010

**UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA**

In re: )  
 )  
Harold H. Pavilack, ) Case No 10-06503-jw  
 )  
 ) Chapter 11  
 )  
Debtor. )  
 )  
 )

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**ORDER DIRECTING THE APPOINTMENT OF A CHAPTER 11 TRUSTEE**

This matter comes before the Court on the motion of the United States Trustee (UST) for an order directing the appointment of a chapter 11 trustee (Motion). At the hearing on the Motion, the Debtor, the only party to have filed an objection to the Motion, withdrew his objection and informed the Court that he did not oppose a finding by the Court that there is cause for appointment of a trustee under 11 U.S.C. § 1104(a)(1). All six creditors which filed responses to the motion agreed that cause exists for the appointment of a trustee.

This Court has jurisdiction to consider this Motion pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue is proper in this Court pursuant to 28 U.S.C. § 1408 and 1409.

At the hearing on the motion, the UST informed the Court that the report which was filed by George DuRant, the Examiner in this case, raised sufficient issues to warrant a finding by the Court of cause for the appointment of a trustee. The Court has reviewed the Examiner's report and agrees that cause exists under 11 U.S.C. § 1104(a)(1) for appointment of a trustee. It is, therefore

ORDERED, that the Motion is granted and the UST is directed to appoint a chapter 11 trustee in this case after consultation with the parties. The Examiner is hereby relieved of his duties in the case, except as shall be reasonably necessary to assist the trustee in transition after the trustee's appointment.